

hypophosphite of iron, and there was no glycerin present. It was alleged in substance in the information that this article was misbranded for the further reason that certain statements appearing on the labels of the bottles falsely and fraudulently represented it as a treatment, remedy, and cure for tubercular manifestations, the neurasthenias, strumous affections, rickets, the anemias, chlorosis, bronchial affections, nervous insomnia, and senile depression, when, in truth and in fact, it was not.

Misbranding of the "Sol. Hypophos. Comp." was alleged for the reason that the statements, to wit, "Each fluid drachm contains * * * $\frac{1}{4}$ grain Hypophosphite Quinine," "Alcohol 4 %," and "in a glycernized, non-cloying vehicle," borne on the labels attached to the bottles containing the article, regarding it and the ingredients and substances contained therein, were false and misleading in that they represented that the article contained in each fluid drachm $\frac{1}{4}$ grain hypophosphite of quinine, and that it contained 4 per cent of alcohol, and that it was in a glycernized, noncloying vehicle, whereas, in truth and in fact, each fluid drachm of the article contained less than $\frac{1}{4}$ grain hypophosphite of quinine, to wit, 0.112 grain hypophosphite of quinine, and contained more than 4 per cent of alcohol, to wit, 5.8 per cent of alcohol and there was no glycerin present. It was alleged in substance that this article was misbranded for the further reason that certain statements appearing on the labels of the bottles falsely and fraudulently represented it as a treatment, remedy, and cure for tubercular manifestations, alcoholic neurasthenia, or sexual neurasthenia, all nervous and mental diseases, physical depression, strumous affections, senile decay, anemia, and some forms of insomnia, when, in truth and in fact, it was not.

On February 28, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$100 and costs.

J. R. RIGGS, *Acting Secretary of Agriculture.*

6748. Misbranding of Marshall's Unequaled Pain Drops, Marshall's Lung Syrup, Dr. J. C. Brown's Unequaled Liquid Drops, Marshall's Blood and Liver Pills, Egyptian Oil, Arctic Oil, and Rheumatic Oil.
U. S. * * * v. Irving J. Carter (M. W. Marshall Medicine Co.).
Plea of guilty. Fine, \$50. (F. & D. No. 9113. I. S. Nos. 11708-11712-p, inc., 12602-p, 12604-p.)

On April 21, 1919, the United States attorney for the Eastern District of Wisconsin, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Irving J. Carter, trading as the M. W. Marshall Medicine Co., Redgranite, Wis., alleging shipment by the said defendant, in violation of the Food and Drugs Act, as amended, on or about August 24, 1917, from the State of Wisconsin into the State of Illinois, of quantities of articles labeled in part, "Marshall's Unequaled Pain Drops," "Marshall's Lung Syrup," "Dr. J. C. Brown's Liquid Drops," "Marshall's Blood and Liver Pills," "Egyptian Oil," "Arctic Oil," and "Rheumatic Oil," which were misbranded.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed the following results:

"Marshall's Unequaled Pain Drops" consist essentially of capsicum, opium, ammonia, alcohol, and water flavored with volatile oils, chiefly rosemary.

"Marshall's Lung Syrup" consists essentially of morphine sulphate, ammonium chlorid, vegetable extract, glycerin, sirup, and flavoring material.

"Dr. J. C. Brown's Unequaled Liquid Drops" consist essentially of ammonia, capsicum, ginger, oil of sassafras, camphor, a trace of morphine, alcohol, and water.

"Marshall's Blood and Liver Pills" consist essentially of aloes and other plant material, calcium carbonate, sugar, and starch.

"Egyptian Oil" consists essentially of linseed oil, and volatile oils including sassafras and cedar oils, and camphor.

"Arctic Oil Liniment" consists essentially of a liquid in two layers, the upper containing oils, largely kerosene, camphor, linseed oil, and castor oil; the lower containing alcohol, ammonia, water, plant extract, and a trace of iodine.

"Rheumatic Oil" consists essentially of a liquid in two layers, the upper containing oils, largely kerosene, camphor, linseed oil, and castor oil; the lower containing alcohol, ammonia, water, plant extract, and a trace of iodine.

It was alleged in substance in the information that the article labeled "Marshall's Unequaled Pain Drops" was misbranded for the reason that certain statements borne on the labels of the bottles and cartons falsely and fraudulently represented it as a cure for sick and nervous headache, rheumatism, neuralgia, colic, cholera morbus, all bowel complaints, sore throat, pain in the back and side, spinal diseases, burns, scalds, sprains, lameness, and diphtheria in its most malignant form, and as a treatment, remedy, and cure for cholera, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for congestion and cold, torpid condition of the system, liver and kidney complaints, colds, any pain, neuralgia, and catarrh, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that the statement, to wit, "Marshall's Unequaled Pain Drops. * * * These drops contain no poisonous * * * matter * * * it is not dangerous to take as high as 40 or 50 drops more or less," borne on the circular inclosed in the carton containing the article, regarding it and the ingredients and substances contained therein, was false and misleading in that it represented that the article contained no poisonous matter and that it was not dangerous to take as high as 40 or 50 drops of the article, whereas, in truth and in fact, it contained poisonous matter, to wit, 2 grains of opium to the ounce, which rendered the article dangerous to the health.

It was alleged in substance that the "Marshall's Lung Syrup" was misbranded for the reason that certain statements borne on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for consumption, asthma, spitting of blood, croup, whooping cough, bronchitis, inflammation of the lungs and throat, difficulty of breathing, and diseases of the pulmonary organs, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for asthma, spitting of blood, croup, whooping cough, ague, consumption, pleurisy, difficulty of breathing, and all diseases of the lungs and chest, when, in truth and in fact, it was not.

It was alleged in substance that the article labeled "Dr. J. C. Brown's Unequaled Liquid Drops" was misbranded for the reason that certain statements borne on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for sick and nervous headache, cholera morbus, colic, and any pain and distress in the stomach and bowels and as a cure for rheumatism, neuralgia, all bowel complaints, sore throat, pain in back and side, spinal diseases, burns, scalds, sprains, lameness, and diphtheria in its most malignant form, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a treatment, remedy, and

cure for congestion, cold, torpid condition of the system, liver and kidney complaints, colds, any pain, neuralgia, and catarrh, when, in truth and in fact, it was not. Misbranding of the article was alleged for the further reason that the statement, to wit, "Dr. J. C. Brown's Unequaled Liquid Drops * * * these drops contain no poisonous * * * matter * * * it is not dangerous to take as high as 40 or 50 drops more or less," borne on the circular enclosed in the carton containing the article, regarding it and the ingredients and substances contained therein, was false and misleading, in that it represented that the article contained no poisonous matter and that it was not dangerous to take as high as 40 or 50 drops of the article, whereas, in truth and in fact, it contained poisonous matter, to wit, 2 grains of opium to the ounce, which rendered the article dangerous to health.

It was alleged in substance that the article labeled "M. W. Marshall's Blood and Liver Pills" was misbranded for the reason that certain statements borne on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for sick headache, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for hepatitis, liver complaint, dyspepsia, diseases of the liver, complaints having their seats in the diseased state of the liver, stoppage of the menses, irritable and vindictive feelings and passions, diseases enumerated under the head of consumption, diseases of the kidneys, impurities of the blood, nervousness, fevers of all kinds, any derangement of the system, dyspepsia, and indigestion, when, in truth and in fact, it was not.

It was alleged in substance that the "Egyptian Oil" was misbranded for the reason that certain statements borne on the labels of the bottles falsely and fraudulently represented it as a cure for salt rheum, erysipelas, piles, stiff joints, diphtheria, sore throat, quinsy, coughs, colds, and earache, when, in truth and in fact, it was not.

It was alleged in substance that the "Arctic Oil" was misbranded for the reason that certain statements borne on the labels on the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for rheumatism, diphtheria, sore throat, quinsy, nervous headache, colic, sprains, neuralgia, catarrh, and all kinds of lameness, when, in truth and in fact it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for acute and chronic rheumatism, spinal and head complaints, all kinds of lameness in man and beast, colic in horses, distemper, stifle, sweeney, and founder, when, in truth and in fact, it was not.

It was alleged in substance that the "M. W. Marshall's Rheumatic Oil" was misbranded for the reason that certain statements borne on the labels of the bottles and cartons falsely and fraudulently represented it as a treatment, remedy, and cure for rheumatism, nervous headache, colic, sprains, neuralgia, catarrh, and all kinds of lameness, when, in truth and in fact, it was not. It was alleged in substance that the article was misbranded for the further reason that certain statements included in the circular accompanying the article falsely and fraudulently represented it as a treatment, remedy, and cure for acute or chronic rheumatism, neuralgia, nervous headache, quinsy, diphtheria, spinal and hip complaints, and lameness, colic in horses, distemper, stifle, sweeney, and founder, when, in truth and in fact, it was not.

On June 7, 1919, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50.

J. R. RIGGS, *Acting Secretary of Agriculture.*